

## Article - Family Law

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§8–208.

(a) (1) When the court grants an annulment or a limited or absolute divorce, regardless of how the family home or family use personal property is titled, owned, or leased, the court may:

(i) decide that one of the parties shall have the sole possession and use of that property; or

(ii) divide the possession and use of the property between the parties.

(2) The court may exercise these powers pendente lite.

(b) In awarding the possession and use of the family home and family use personal property, the court shall consider each of the following factors:

(1) the best interests of any child;

(2) the interest of each party in continuing:

(i) to use the family use personal property or any part of it, or to occupy or use the family home or any part of it as a dwelling place; or

(ii) to use the family use personal property or any part of it, or to occupy or use the family home or any part of it for the production of income; and

(3) any hardship imposed on the party whose interest in the family home or family use personal property is infringed on by an order issued under §§ 8–207 through 8–213 of this subtitle.

(c) The court may order or decree that either or both of the parties pay all or any part of:

(1) any mortgage payments or rent;

(2) any indebtedness that is related to the property;

(3) the cost of maintenance, insurance, assessments, and taxes; or

(4) any similar expenses in connection with the property.

(d) An order giving a party the sole possession and use of the family home under subsection (a) of this section does not affect the right of the other party to claim the family home as that party's principal residence for tax purposes.

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